UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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ART UNIT	PAPER NUMBER
2179	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 04/07)

		Application No.	Applicant(s)
Office Action Summary		10/720,256	GEST, STEPHEN B.
		Examiner	Art Unit
		Kim-Lynn Dam	2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 September 2007_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-51_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-51_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413)
                                                  Paper No(s)/Mail Date. _____ .
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5)☐ Notice of Informal Patent Application
3)☐ Information Disclosure Statement(s) (PTO/SB/08)   6)☐ Other: _____.
     Paper No(s)/Mail Date _____ .

DETAILED ACTION

1.   This office action is in response to the amendment filed on 9/21/07.

This rejection is made final.

2.   Claims 1-51 have been examined and are pending. Claims 1, 17, 38 and

45 are independent.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

4.   Claims 1-51 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Smith (US 2003/0117527).

Regarding claim 1, Smith disclosed a method for exchanging information with a

process using a window display port, the method comprising:

presenting information related to a first process in a window within a

presentation space of a monitor (Paragraph [0030], lines 6-17; Figure 5); Smith

did not specifically disclose presenting information related to a first process in a

window that is resizable within a presentation space of a monitor, however

resizable windows are well known and common in the art. It would have been

obvious to one of ordinary skill in the art at the time of invention to incorporate a

resizable window into the system of Smith in order to minimize, maximize, or

adjust the size of the window.

selecting a second process (Paragraph [0025]; Figure 3, selecting PIP);

opening a display port in a portion of the window (Paragraph [0018] and

[0025]; Figure 1);

presenting information related to the second process in the display port

(Paragraph [0018] and [0025]; Figure 1); and

linking the display port to the window within the presentation space of the

monitor while presenting the information related to the second process in the

display port (Paragraph [0018], [0025] Paragraph [0030], lines 6-17; Figure 1;

Figure 5);

wherein the first and second processes are separate processes

(Paragraph [0018], [0025] Paragraph [0030], lines 6-17; Figure 1; Figure 5)

Regarding claim 2, the rejection of claim 1 is incorporated and further Smith

disclosed

associating an input focus with the window, wherein the first process can

receive information from a user interface (Paragraph [0025]; Figure 3) and

associating the input focus with the display port, wherein the second

process can receive information from the user interface (Paragraph [0019];

Figure 1).

Regarding claim 3, the rejection of claim 2 is incorporated and further Smith

disclosed associating the input focus with only one of the window and the display

port at a time (Paragraphs [0019] and [0025]; Figures 1 and 3).

Regarding claim 4, the rejection of claim 3 is incorporated and further Smith

disclosed switching the input focus between the window and the display port

(Paragraphs [0019] and [0025]; Figures 1 and 3).

Regarding claim 5, the rejection of claim 3 is incorporated and further Smith

disclosed comprising: switching the input focus to the display port when opening

the display port in the portion of the window (Paragraphs [0019] and [0025];

Figures 1 and 3).

Regarding claim 6, the rejection of claim 1 is incorporated and further the system

of Smith disclosed swapping the information presented in the display port related

to the second process with the information presented in the window related to the

first process such that when swapping occurs, the information related to the first

process are presented in the display port and the information related to the

second process are presented in the window (Paragraph [0024], lines 7-9).

Regarding claim 7, the rejection of claim 1 is incorporated and further the system

of Smith discloses associating an input focus with the window when swapping

the information presented in the display port with the information presented in the

window, wherein the second process can receive information from a user

interface (Paragraphs [0019] and [0025]; Figures 1 and 3).

Regarding claim 8, the rejection of claim 1 is incorporated and further Smith did

not expressly teach hiding the presenting of information related to the second

process and the display port while maintaining an execution of the second

process. However, this limitation would have been obvious to one of ordinary

skill in the art at the time the invention was made in view of Smith since Smith

discloses presenting information in a window (Paragraph [0030], lines 6-17;

Figure 5). Smith did not specifically disclose presenting information in a window

that is resizable within a presentation space of a monitor, however resizable

windows with a minimize/maximize button in the upper right hand corner next to

the close button are well known and common in the art. It would have been

obvious to one of ordinary skill in the art at the time of invention to incorporate a

resizable window into the system of Smith in order to minimize, maximize, or

adjust the size of the window. One skilled in the art would know that minimizing

a window, hides the presentation of information while maintaining execution of

the process.

Regarding claim 9, the rejection of claim 8 is incorporated and further Smith did

not expressly teach wherein the hiding occurs when hiding the presenting of

information related to the first process and the window while maintaining an

execution of the first process. However, this limitation would have been obvious

to one of ordinary skill in the art at the time the invention was made in view of

Smith since Smith discloses presenting information in a window (Paragraph

[0030], lines 6-17; Figure 5). Smith did not specifically disclose presenting

information in a window that is resizable within a presentation space of a monitor,

however resizable windows with a minimize/maximize button in the upper right

hand corner next to the close button are are well known and common in the art.

It would have been obvious to one of ordinary skill in the art at the time of

invention to incorporate a resizable window into the system of Smith in order to

minimize, maximize, or adjust the size of the window. One skilled in the art

would know that minimizing a window, hides the presentation of information while

maintaining execution of the process.

Regarding claim 10, the rejection of claim 1 is incorporated and further Smith

disclosed closing the display port and halting an execution of the second process

(Paragraph [0025]; Figure 2, element 47; wherein window executing the second

process has close button).

Regarding claim 11, the rejection of claim 1 is incorporated and Smith does not

expressly teach closing the display port while maintaining an execution of the

second process when closing the window and halting an execution of the first

process, opening a second window that is resizable within the presentation

space of the monitor; and presenting information related to the second process in

the second window. However, this limitation would have been obvious to one of

ordinary skill in the art at the time the invention was made in view of Smith,

because Smith teaches that the second process can come from various sources

while the window displays a software application, website etc (Paragraph [0030];

Figure 5). The skilled artisan would determine that the information related to the

second process could be executing and then opened in second window since the

window can display either the software application or the audiovisual source

signal depending on a user's preferences/actions (Paragraph [0030]).

Regarding claim 12, as indicated in the above discussions, every limitation of

claim 1 is taught by Smith. Smith further teaches adding the second process to a

list of selected processes (Paragraph [0022]; Figure 2, area 29). Smith does not

expressly teach including the list of selected processes as selectable entries in a

drop-down menu. However, this limitation would have been obvious to one of

ordinary skill in the art at the time the invention was made in view of Smith,

because Smith discloses browsing a preset list (Paragraph [0022]; Figure 2, area

29). The skilled artisan knows that the preset list can viewed by toggling up and

down in the same manner as it would be displayed in a drop-down menu.

Regarding claim 13, the rejection of claim 1 is incorporated and further Smith

teaches wherein the selecting comprises: browsing a repository of available

processes including the second process (Paragraph [0022]; Figure 2, area 29).

Regarding claim 14, the rejection of claim 1 is incorporated and Smith does not

expressly teach wherein the linking comprises: resizing the display port an

amount proportional to an amount the window changes when the window is

resized. However, this limitation would have been obvious to one of ordinary skill

in the art at the time the invention was made in view of Smith, because Smith

discloses presenting information in a window (Paragraph [0030], lines 6-17;

Figure 5). Resizable windows are well known and common in the art. It would

have been obvious to one of ordinary skill in the art at the time of invention to

incorporate a resizable window into the system of Smith in order to minimize,

maximize, or adjust the size of the window. The skilled artisan knows that

conventional mouse operations and the use of a window reduction/enlargement

button would resize a display port an amount proportional to an amount the

window changes.

Regarding claim 15, the rejection of claim 1 is incorporated and Smith does not

expressly teach wherein the linking comprises: maintaining a relative positioning

of the display port within the window when repositioning the window within the

presentation space of the monitor. However, this limitation would have been

obvious to one of ordinary skill in the art at the time the invention was made in

view of Smith, because Smith discloses displaying the port in a window

(Paragraph [0030], lines 6-17; Figure 5). Resizable windows are well known and

common in the art. It would have been obvious to one of ordinary skill in the art

at the time of invention to incorporate a resizable window into the system of

Smith in order to minimize, maximize, or adjust the size of the window. The

skilled artisan knows that conventional mouse operations and the use of a

window reduction/enlargement button would reposition the window and the

display port would maintain a relative position within the window during the

repositioning.

Regarding claim 16, the rejection of claim 1 is incorporated and Smith disclosed

wherein the first and second processes are associated with respective

application programs (Paragraph [0030], lines 1-17).

Regarding claims 17-23, 25-28, 30, 32-33, 35-37, and 45-50, they are the

corresponding system claims of 1-16. Therefore, claims 17-23, 25-28, 30, 32-33,

35-37, and 45-50 are rejected under the same rationale as applied above.

Regarding claim 24, the rejection of claim 23 is incorporated and Smith disclosed

wherein the logic configured to swap the information is responsive to an output of

a pointing device included in the user interface (Paragraph [0019], lines 15-17;

Paragraph [0024], lines 7-9).

Regarding claim 26, the rejection of claim 25 is incorporated and further Smith

did not expressly teach wherein the logic configured to hide is responsive to an

activation of a control button associated with the window. However, this

limitation would have been obvious to one of ordinary skill in the art at the time

the invention was made in view of Smith since Smith discloses presenting

information in a window (Paragraph [0030], lines 6-17; Figure 5). Smith did not

specifically disclose presenting information in a window that is resizable within a presentation space of a monitor, however resizable windows with a minimize/maximize button in the upper right hand corner next to the close button are well known and common in the art. It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate a resizable window into the system of Smith in order to minimize, maximize, or adjust the size of the window. One skilled in the art would know that minimizing a window using a button in the upper right hand corner of the window, hides the presentation of information while maintaining execution of the process.

Regarding claim 29, the rejection of claim 28 is incorporated and Smith disclosed wherein the logic to close the display port is responsive to a combined output of a keyboard and a pointing device included in a user interface ((Paragraph [0025]; Figure 2, element 47; wherein window executing the second process has close button).

Regarding claim 31, the rejection of claim 30 is incorporated and Smith disclosed wherein the logic configured to close the display port is responsive to a closing of the window and halting of an execution of the first process (Paragraph [0030]; Figure 5, where the window can be closed (button in right hand corner) which would halt the software application/website etc).

Regarding claim 34, the rejection of claim 33 is incorporated and Smith did not

expressly teach wherein the logic configured to browse is responsive to a

selection of an entry in the drop-down menu. However, this limitation would have

been obvious to one of ordinary skill in the art at the time the invention was made

in view of Smith because Smith disclosed browsing a preset list (Paragraph

[0022]; Figure 2, area 29). The skilled artisan knows that selecting to browse the

preset list can be achieved by the toggle buttons in the same manner as it would

be displayed and selected in a drop-down menu.

Regarding claims 38-44 they are the corresponding program product claims of

claims 1, 2, 6-8, 12 and 15. Therefore, claims 38-44 are rejected under the same

rationale as applied above.

Regarding claim 51, Smith does not expressly teach the method of claim 13,

wherein the browsing comprises:

        including a browse option as a menu item of the window; and

opening a dialog box and presenting a list of selectable processes in the dialog

box. However, this limitation would have been obvious to one of ordinary skill in

the art at the time the invention was made in view of Smith since Smith discloses

browsing a preset list (Paragraph [0022]; Figure 2, area 29). The skilled artisan

knows that the preset list can browsed by toggling up and down in the same

manner as it would be if it were displayed in a dialog box.

Response to Arguments

5.   Applicant's arguments with respect to independent claims 1, 17, 38, 45 and all depending claims have been considered but are moot in view of the new ground(s) of rejection necessitated by amendment.

Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim-Lynn Dam whose telephone number is (571) 270-1408. The examiner can normally be reached on M-TH 8:00-5:30, every other Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kim-Lynn Dam

WEILUN LO
SUPERVISORY PATENT EXAMINER